

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SECOND AMENDMENT ARMS (a d/b/a of )  
R. Joseph Franzese), *et al*, )  
Plaintiffs, ) Case No: 1:10-CV-4257  
v. )  
CITY OF CHICAGO, a municipal corporation, ) Hon. Robert M. Dow, Jr.  
*et al*, ) U.S. District Court Judge  
Defendants. )

## **PLAINTIFFS' STATEMENT OF STATUS**

Plaintiffs, Second Amendment Arms (a d/b/a of R. Joseph Franzese), R. Joseph Franzese, individually and d/b/a Second Amendment Arms, Robert M. Zieman, Sr., and Tony Kole, by and through undersigned counsel, and for their Statement of Status, submit the following:

Plaintiffs apologize for being unable to file the Fourth Amended Complaint by September 3, 2014. Plaintiffs' counsel has been analyzing the current state of the Chicago Municipal Code (especially the July, 2014 amendments regarding gun stores), as well as the recent *Rhonda Ezell v. City of Chicago* and the earlier *Illinois Association of Firearms Retailers v. City of Chicago* opinions. Plaintiffs have also been working to streamline and narrow what was once a very lengthy and unwieldy Complaint, including eliminating two Plaintiffs whose claims have actually been mooted during the course of this litigation.

In short, while Plaintiffs' counsel apologizes for not seeking an extension with the Court, Plaintiffs will file their Fourth Amended Complaint by October 17, 2014, and seek leave to do so. Defendant is not prejudiced because many of the claims that will be made are included in the currently-pending Third Amended Complaint, except for a claim regarding the new gun store

ordinances. Further, the delay means that Defendant's laws have remained on the books for the additional time, plus any damages eventually to be paid will have been put off as a result of the delay.

WHEREFORE, the Plaintiffs request leave to file their Fourth Amended Complaint by October 17, 2014, as well as any and all further relief as this Court deems just and proper.

Respectfully submitted,

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/s/ David G. Sigale  
Attorney for Plaintiffs

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**CERTIFICATE OF ATTORNEY AND NOTICE OF ELECTRONIC FILING**

The undersigned certifies that:

1. On October 7, 2014, the Plaintiffs electronically filed the attached Plaintiffs' Statement of Status with the District Court Clerk via CM/ECF filing system;
2. Pursuant to F.R.Civ.P. 5, the undersigned certifies that, to his best information and belief, there are no non-CM/ECF participants in this matter.

/s/ David G. Sigale

Attorney for Plaintiffs

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